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Jennifer McGowan
Jennifer McGowan

April 7th, 2003
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Johns Francis Regan

Title: **Lender And Insurer Transaction
Processing System And Method**

Art Unit: 3621

Serial No.: 09/188,827
Filed: November 9, 1998
Our Reference:

133 Richmond Street West, Suite 301
Toronto, Ontario M5H 2L7

April 7, 2003

VIA FACSIMILE (703) 746-5531 or 305-7687

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Attention: Examiner John W. Hayes

Dear Sir:

✓ This is responsive to the Examiner's Official Action in the above-identified patent application.

Applicant has reviewed the Examiner's objections and rejections of the claims presently on file and makes the following comments with respect to same.

In Applicant's response of June 14, 2001 Applicant had requested the Examiner to amend claims 34 and 41 to depend on claim 1. It is believed this request overcomes the Examiner's objection to claims 34 and 41.

Applicant has carefully studied the Examiner's rejection of the claims in the application based on United States Patent 4,774,664 and a combination of the '664 reference with United States Patent 5,521,815.

It is Applicant's position that if the Examiner is incorrect on his interpretation of the '664 reference i.e., the primary reference then the Examiner's 102 and 103 rejections are not properly justified.

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Applicant has carefully reviewed the '664 reference and respectfully submits to the Examiner that this reference does not teach what the Examiner has taken from the reference. More particularly, the Examiner takes the position that the '664 reference teaches among another things the initiation of a recovery process for a transaction and the automated co-ordination of that recovery process. However, from Applicant's review of the reference this is not what the reference discloses.

What the reference does disclose is the entering of customer profile information at a central database and a menu having a selection to determine whether or not a loan is in default. By selecting the "collection transaction" as per column 10 a person reviewing the file is then provided with the customer profile for purposes of making a determination if what action if any should be taken to try and correct the situation. From here it becomes a personal judgement call rather than a programmed initiation of a recovery process.

In the '664 patent if a decision is made to try to collect on the default payment, then the person making that decision must contact separate services which are not part of the process system for correcting the default situation. All of the quotations referred to by the Examiner with respect to the '664 patent relate to nothing more than the system pulling up the client information. Based on this information the person reviewing the client profile makes a decision to determine whether the loan "should be charged off, or should be foreclosed, or in which legal proceeding have been initiated, or which are subjected to judgements, or those customers which are bankrupt, or those loans which should be charged off." The system of the '664 patent takes you no farther than this decision making process.

In support of Applicant's above position we draw the Examiner's attention to column 23 beginning at line 25 which reads "thus various changes and revisions in the data fields associated with a particular delinquency account may be made and stored. Thereafter the program exits from the collections routine."

The '664 patent describes a system which has been used in banks since the early 1980's i.e., a system which admittedly allows the entry of data regarding a customer profile and a system which does have the ability to show that a loan is in default. However, consistent with what has been available for many years the '664 patent relies upon a person and not an automated processor to initiate a recovery process and to provide automated co-ordination of the recovery process.

What differentiates Applicant's system from anything that has come before it is that Applicant's system is preloaded with transaction information. This transaction information includes information as to how to recover a property unit in the event that there is a default condition. Applicant's system uses the same transaction information for the initiation and automated co-ordination of the recovery process. With Applicant's system there is no need after a decision has been made for recovery of a property unit to have to then go out and locate all the different agencies that are required to initiate and carry out the recovery process which according to substantially all of Applicant's claims further includes the disposition of the property unit. Nothing similar to this is found in the '664 reference nor is anything similar to this found in the '815 reference. This concept is totally unique to Applicant's invention which in Applicant's opinion is clearly patentable over all prior art of record as well as any other processing systems in Applicant's field which according to all feedback from major banks are essentially archaic relative to Applicant's processing system.

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In view of the above, Applicant believes this application to be in condition for allowance and awaits such notification at the Examiner earliest convenience.

Respectfully submitted,



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SJ:jmc
Enclosures

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TO: EXAMINER JOHN HAYES
THE COMMISSIONER OF PATENTS

FROM: Douglas S. Johnson

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Our File: SJ-10321US

Re: United States Patent Application No. 09/188,827
Title: Lender and Insurer Transaction Processing System and Method
Applicant: John Francis Regan

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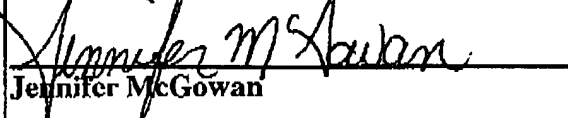
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